

**AMENDMENTS TO THE DRAWINGS**

Please amend the figures as shown in the enclosed replacement sheets. The attached sheets of drawings include changes to Figures 1-5. Specifically, Figures 1-5 are not longer hand drawn and comply with all requirements of 37 CFR § 1.181. Applicant submits that these replacement figures are formal.

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claims 1-20 are pending in this application. Claims 1 and 12 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 12.

**Drawings**

Applicant hereby submits replacement sheets for Figures 1-5. Figures 1-5 have been amended to comply with 37 CFR § 1.181. No new matter has been added by way of the amended drawings. Applicant respectfully requests the Examiner to accept the drawings.

**Rejections under 35 U.S.C. § 102**

Claims 1, 4-6, 8, 10, and 11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,553,310 (“Lopke”). Claim 1 has been amended by this reply. To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

The present invention is directed towards implementing location-based mapping functionality for client devices, such as wireless portal servers. More specifically, the present invention relates to providing customized location specific information from a web site or a web portal to clients using wireless devices. The customized information presented to a user is automatically formatted in accordance with WML and WAP communication standards. The method of the present invention involves a client/server framework that includes the steps of: receiving user location information from a user, receiving a request for application specific information from the user, selecting pertinent application specific information based on the user location information, and transmitting the pertinent application specific information to the user.

With respect to the rejection of the claims, claim 1 has been amended to include the limitation of dependent claim 3. As admitted by the Examiner on the bottom of page 4 to the top of page 5 of the Office Action mailed November 19, 2004, “Lopke does not specifically disclose

that the information is transmitted in accordance with the WAP and WML communication standards.” Thus, it is clear that amended claim 1 is now patentable over Lopke. Dependent claims 4-6, 8, 10, and 11 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

### **Rejections under 35 U.S.C. § 103**

Claims 2, 3, 12-15, 17, 19, and 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lopke in view of U.S. Patent No. 6,721,747 (“Lipkin”). Claim 3 has been canceled by this reply. Thus, this rejection is now moot with respect to claim 3. With respect to the remaining rejected claims, this rejection is respectfully traversed.

Applicant respectfully asserts that there is no motivation or suggestion to combine the teachings of Lipkin with the disclosure of Lopke. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must *both* be found in the prior art, *not* in Applicant’s disclosure. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991) (emphasis added). Further, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680 (Fed. Cir. 1990). In other words, there must be some objective reason to combine the teachings of the reasons. *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993).

Specifically, Lopke relates to presenting a user with a web page tailored for the user (*i.e.*, where the information presented to the user is specific to that particular user). In contrast, Lipkin relates to managing information in an information resource system containing a server, a client, and a database. Lipkin discloses the method steps of generating metadata using an import agent, determining at least one match using a match agent, and dispatching the at least one match or a result associated with the match using a delivery agent (*See*, Lipkin, Abstract). Lipkin is not at all concerned with providing customized information to a user. Further, Lipkin does not, in any way, suggest a desire to provide customized, application specific information to a user. Rather, Lipkin relates to efficiently managing and retrieving information over a network, and searching for and discovering information, such as web resources, in a more flexible and sophisticated manner. (*See*, Lipkin, col. 2, ll. 9-11). However, searching for and discovering information is in

no way related to customizing information based on a user's location to present the user with responses to queries that are specifically for a user's current location. Thus, Lipkin relates to general information, and is completely silent as to specific information based on characteristics of a user (*e.g.*, location, etc.).

Further, there is no suggestion or motivation in Lopke regarding making searching and finding information more efficient. Lopke is specifically related to customizing information for a particular user, and does not suggest improving the method in which *general information* is found on the Web.

A complete study of Lopke and Lipkin confirms that, regardless of whether the teachings of Lopke and Lipkin can be combined, there is no suggestion or motivation set forth in either Lopke or Lipkin to combine the teachings of these references. Absent such a suggestion or motivation, the teachings of Lopke and Lipkin cannot be conveniently combined to render the claimed invention obvious. Thus, independent claims 1 and 12 are patentable over Lopke and Lipkin, whether considered separately or in combination. Dependent claims 2, 3, 13-15, 17, 19, and 20 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 7 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lopke in view of U.S. Publication No. 2002/0030698 ("Baur"). This rejection is respectfully traversed.

Independent claim 1 has been amended to clarify the present invention recited. Specifically, claim 1 has been amended to include the limitation "wherein the pertinent application specific information is transmitted in accordance with WML communication standards." As admitted by the Examiner on pages 4-5 of the Office Action, Lopke fails to disclose or suggest this limitation. Further, Baur fails to disclose or suggest that which Lopke lacks. Baur relates to an electronic organizer that provides a calendar, date, time, etc. functions for a user. However, Baur fails to disclose or suggest that pertinent information that is specific to a user is transmitted according to WML (wireless mark-up language) standards. Rather, Baur only discloses that data transmission between the organizer and a navigation device can be achieved by a cable link or by a short-range wireless radio link. Baur is completely silent as to the data being transmitted using the WML standards. Thus, it is clear that amended independent

claim 1 is patentable over Lopke and Baur, whether considered separately or in combination. Dependent claims 7 and 9 are patentable over Lopke and Baur for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

### Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/418001; P6092).

Dated: February 9, 2005

Respectfully submitted,

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